



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.16571 of 2016

and

W.M.P.Nos.14307 & 14308 of 2016

A.Jenasenan

...Petitioner

Vs

1.The District Collector,
Collectorate Office,
Kanchipuram.

2.Power Grid Corporation of India Ltd.,
Represented by its Chief Manager,
No.400/230, KV Sub Station,
Kalivanthapattu, Guduvancherry,
Kanchipuram District.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd Respondent to relocate tower No.62 B/O on the Kalpakkam-Kancheepuram 230 KV transmission line and remove tower No.62A/ 1 located on Survey No.346, Sevilimedu Village, Kancheepuram Taluk and District or in the alternative direct the 2nd respondent to pay a sum of Rs.20,05,60,000/- (Rupees twenty crores, five lakhs and sixty thousand only) along with interest at the rate of 18% per annum from the date of erection of tower till the date of payment being compensation amount for the use of the petitioners land and damages suffered calculated at Rs.4000/- per sq.ft x 115 cents.

For Petitioner : Mr.S.Mohanasundararajan

For Respondents : Mr.C.Kathiravan
Government Advocate
[For R1]

Mr.Jayesh B.Dolia
For M/s.Aiyar and Dolia
[For R2]



O R D E R

The relief sought for in the present writ petition is for a direction to direct the 2nd Respondent to relocate tower No.62 B/O on the Kalpakkam-Kancheepuram 230 KV transmission line and remove tower No.62A/ 1 located on Survey No.346, Sevilimedu Village, Kancheepuram Taluk and District or in the alternative direct the 2nd respondent to pay a sum of Rs.20,05,60,000/- (Rupees twenty crores, five lakhs and sixty thousand only) along with interest at the rate of 18% per annum from the date of erection of tower till the date of payment being compensation amount for the use of the petitioners land and damages suffered calculated at Rs.4000/- per sq.ft x 115 cents.

2. The learned counsel appearing on behalf of the petitioner made a submission that on account of efflux of time, the relocation may not be possible and further, he seeks the permission of this Court to approach the authorities for the purpose of requesting for an alternate remedy including claiming of compensation.

3. It is needless to state that if the right of the petitioner is infringed in any manner, he is at liberty to seek appropriate remedy before the competent authorities under the relevant provisions of the Statutes and Rules. Thus, the petitioner is at liberty to work out his remedy in the manner known to law.

4. With this liberty, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Collectorate Office,
Kanchipuram.

+2 ccs to Mr.S.Mohanasundararajan, Advocate Sr.NO.48637
+1 cc to Mr.M/s.Aiyar and Dolia ., Advocate Sr.NO.48769
+1 cc to Government Pleader Sr.NO. 49489

W.P.No.16571 of 2016

SSI (CO)
A.SK(13.10.2021)